

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF NEW YORK

-----x Civil Action No.: 5:23-cv-00566

Freedom Mortgage Corporation,

Plaintiff,

**ORDER VACATING DEFAULT  
JUDGMENT OF FORECLOSURE  
AND SALE AND VOLUNTARY  
DISMISSING COMPLAINT**

Justin R. Poirier, Northern Credit Union

Defendant(s).

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Before the Court is a motion to voluntarily dismiss the complaint pursuant to Fed. R. Civ. P. §41(a)(2), Vacating the Default Judgment of Foreclosure and sale pursuant to Fed. R. Civ. P. §60(b). The action was commenced by filing of the summons and complaint on May 9, 2023 copies of which were served on the defendant. The Defendant failed to answer, appear or motion with respect to the Complaint and defaulted. On March 4, 2024, the Court granted the plaintiff default Judgment and a Judgment of Foreclosure and Sale. Prior to the sale, Defendant Justin R. Poirier paid off the mortgage loan subject to this action. On these grounds, it is hereby:

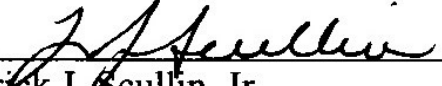
**ORDERED**, that the motion is hereby granted and the Default Judgment of Foreclosure and Sale is vacated pursuant to Fed. R. Civ. P. §60(b); and it is further

**ORDERED**, that the above entitled action is hereby discontinued and the loan is hereby decelerated pursuant to CPLR 3217(b), without prejudice; and it is further

**ORDERED**, that the Referee Rafferty E. Kellogg, Esq., appointed pursuant to the Default Judgment of Foreclosure and Sale is hereby relieved and discharged of any and all obligations.

SO ORDERED:

Date: April 1, 2024

  
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Frederick J. Scullin, Jr.  
Senior United States District Judge